



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street, 3rd floor
New York, New York 10007*

June 5, 2019

BY ECF

The Honorable Paul A. Engelmayer
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *ACLU, et al. v. DOD, et al.*, No. 17 Civ. 3391 (PAE)

Dear Judge Engelmayer:

I write respectfully on behalf of Defendants the Department of Defense (“DOD”) and Department of State (“DOS”) in the above-referenced action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). We write with Plaintiffs’ consent to request a three-week enlargement of Defendants’ deadline to file their opposition and reply memorandum of law in connection with the pending summary judgment briefing in this case, from June 7 to June 28, 2019. *See* Dkt. No. 121. This is Defendants’ second request for an enlargement of this deadline; the Court granted the first request. *Id.* The primary reason for the request, which will be Defendants’ final one, is that Defendants require some additional time to prepare and finalize their upcoming submission due to continuing health issues of counsel working on this matter. I have consulted with Plaintiffs, who courteously consented to this request. If the Court is inclined to grant the request set forth herein, the parties have conferred and respectfully request that the remaining briefing deadlines be modified as follows:

- Defendants file their opposition and reply (25 pages) on June 28, 2019; and
- Plaintiffs file their reply (25 pages) on July 19, 2019.

We thank the Court for its consideration of this matter.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

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cc: Counsel of record (by ECF)

Granted.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

6/6/2019